

procured and does not hold the certificate of authority therefor as in this chapter provided, the person shall be guilty of a serious misdemeanor; or if the person shall knowingly make or cause to be made any false entries in the books of the association, or shall, with the intent to deceive any person making an examination in this chapter required to be made, exhibit to the person making the examination any false entry, paper, or statement, the person shall be guilty of a fraudulent practice; or if the person shall knowingly do or solicit business for any ~~building and loan or~~ savings and loan association which has not procured the required certificate therefor, the person shall be guilty of a serious misdemeanor.

Sec. 44. Section 546.2, subsection 3, paragraph c, Code 2007, is amended by striking the paragraph.

Sec. 45. Section 546.3, subsection 1, Code 2007, is amended to read as follows:

1. The banking division shall regulate and supervise banks under chapter 524, debt management licensees under chapter 533A, money services under chapter 533C, delayed deposit services under chapter 533D, savings and loan associations under chapter 534, mortgage bankers and brokers under chapter 535B, regulated loan companies under chapter 536, and industrial loan companies under chapter 536A, and shall perform other duties assigned to the division by law. The division is headed by the superintendent of banking who is appointed pursuant to section 524.201. The state banking council shall render advice within the division when requested by the superintendent.

Sec. 46. Section 534.109, Code 2007, is repealed.

Sec. 47. Section 534.113, Code 2007, is repealed.

Sec. 48. Section 534.515, Code 2007, is repealed.

Sec. 49. Section 534.519, Code 2007, is repealed.

Sec. 50. Section 546.5, Code 2007, is repealed.

Approved April 20, 2007

CHAPTER 89

SECURE CRIMINAL OR JUVENILE FACILITIES — POSSESSION OF CONTRABAND

S.F. 529

AN ACT expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 719.7, Code 2007, is amended to read as follows:

719.7 POSSESSING CONTRABAND.

1. "Contraband" includes but is not limited to any of the following:

- a. A controlled substance or a simulated or counterfeit controlled substance, hypodermic syringe, or intoxicating beverage.
 - b. A dangerous weapon, offensive weapon, pneumatic gun, stun gun, firearm ammunition, knife of any length or any other cutting device, explosive or incendiary material, instrument, device, or other material fashioned in such a manner as to be capable of inflicting death or injury.
 - c. Rope, ladder components, key or key pattern, metal file, instrument, device, or other material designed or intended to facilitate escape of an inmate.
2. The ~~sheriff may x-ray a person committed to the jail, or the~~ department of corrections may x-ray a person under the control of the department, if there is reason to believe that the person is in possession of contraband. A licensed physician or x-ray technician under the supervision of a licensed physician must x-ray the person.
 3. A person commits the offense of possessing contraband if the person, not authorized by law, does any of the following:
 - a. Knowingly introduces contraband into, or onto, the grounds of a ~~secure facility for the detention or custody of juveniles, detention facility, jail,~~ correctional institution, or institution under the management of the department of corrections.
 - b. Knowingly conveys contraband to any person confined in a ~~secure facility for the detention or custody of juveniles, detention facility, jail,~~ correctional institution, or institution under the management of the department of corrections.
 - c. Knowingly makes, obtains, or possesses contraband while confined in a ~~secure facility for the detention or custody of juveniles, detention facility, jail,~~ correctional institution, or institution under the management of the department of corrections, or while being transported or moved incidental to confinement.
 4. A person who possesses contraband or fails to report an offense of possessing contraband commits the following:
 - a. A class "C" felony for the possession of contraband if the contraband is of the type described in subsection 1, paragraph "b".
 - b. A class "D" felony for the possession of contraband if the contraband is any other type of contraband.
 - c. An aggravated misdemeanor for failing to report a known violation or attempted violation of this section to an official or officer at a ~~secure facility for the detention or custody of juveniles, detention facility, jail,~~ correctional institution, or institution under the management of the department of corrections.
 5. Nothing in this section is intended to limit the authority of the administrator of any ~~secure facility for the detention or custody of juveniles, detention facility, jail,~~ correctional institution, or institution under the management of the department of corrections to prescribe or enforce rules concerning the definition of contraband, and the transportation, making, or possession of substances, devices, instruments, materials, or other items ~~in the institutions~~.

Sec. 2. Section 911.3, subsection 1, paragraph b, Code 2007, is amended to read as follows:

- b. Section ~~719.7,~~ 719.8, 725.1, 725.2, or 725.3.

Approved April 20, 2007

CHAPTER 90**INTEROPERABLE PUBLIC SAFETY AND SERVICES
COMMUNICATIONS SYSTEM — BOARD***H.F. 353*

AN ACT relating to public safety communications by establishing an Iowa statewide interoperable communications system board.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 80.28 STATEWIDE INTEROPERABLE COMMUNICATIONS SYSTEM BOARD — ESTABLISHED — MEMBERS.**

1. A statewide interoperable communications system board is established, under the joint purview of the department and the state department of transportation. The board shall develop, implement, and oversee policy, operations, and fiscal components of communications interoperability efforts at the state and local level, and coordinate with similar efforts at the federal level, with the ultimate objective of developing and overseeing the operation of a statewide integrated public safety communications interoperability system. For the purposes of this section and section 80.29, “interoperability” means the ability of public safety and public services personnel to communicate and to share data on an immediate basis, on demand, when needed, and when authorized.

2. The board shall consist of fifteen voting members, as follows:

a. The following members representing state agencies:

- (1) One member representing the department of public safety.
- (2) One member representing the state department of transportation.
- (3) One member representing the homeland security and emergency management division.
- (4) One member representing the department of corrections.
- (5) One member representing the department of natural resources.
- (6) One member representing the Iowa department of public health.

b. The following members, to be appointed by the governor:

- (1) Two members who are representatives from municipal police departments.
- (2) Two members who are representatives of sheriff’s offices.
- (3) Two members who are representatives from fire departments.
- (4) Two members who are law communication center managers employed by state or local government agencies.
- (5) One at-large member.

3. Board members shall be appointed in compliance with sections 69.16 and 69.16A. Members shall elect a chairperson and vice chairperson from the board membership, who shall serve two-year terms. The members appointed by the governor shall be appointed to three-year staggered terms and the terms shall commence and end as provided by section 69.19. The governor shall solicit and consider recommendations from professional or volunteer organizations in making appointments to the board. If a vacancy occurs, a successor shall be appointed to serve the unexpired term. A successor shall be appointed in the same manner and subject to the same qualifications as the original appointment to serve the unexpired term. Members of the board are entitled to receive reimbursement for actual expenses incurred while engaged in the performance of official duties from funds appropriated to the department of public safety and the state department of transportation for that purpose. The departments shall enter into an agreement to provide administrative assistance and support to the board.

Sec. 2. **NEW SECTION. 80.29 BOARD DUTIES.**

The statewide interoperable communications system board established in section 80.28 shall:

1. Implement and maintain organizational and operational elements of the board, including staffing and program activity.